

Law Enforcement News

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"Staggering" crime rate drops Cities point to police strategies behind the decrease

Notwithstanding public perceptions of a skyrocketing crime rate, serious crimes reported to law enforcement dropped 5 percent nationwide in the first half of 1993, according to the FBI, led by across-the-board decreases in property crimes.

In preliminary figures released Dec. 5, the FBI reported that three of the four violent-crime categories decreased between January and June 1993, compared to the same period one year earlier. Robbery was down by 5 percent; forcible rape, 4 percent, and aggravated assault dropped by 1 percent. The murder rate remained unchanged.

The biggest declines were reported in property-crime offenses. Arson declined by 15 percent, burglary by 8 percent, motor-vehicle theft by 5 percent, and larceny-theft by 4 percent.

Perhaps sensing the prevailing public mood, FBI Director Louis J. Freeh said he doubted that U.S. residents "will draw much comfort" from the decrease in the overall crime rate because the levels of violent and drug-related crime "remain so staggering."

"It is government's great task to reduce crime sharply and permanently," he said.

All four regions of the United States reported declines in overall crime, the FBI said. Crime was down 8 percent in the Northeast, 7 percent in the Midwest, 4 percent in the South, and 2 percent in the West. The greatest decline by population was the 7-percent decrease reported by cities with over 1 million residents. The decreases reported by rural and suburban county law enforcement agencies were 4 percent and 5 percent, respectively.

Officials of jurisdictions contacted by LEN said that the increases or decreases they reported to the FBI for the first six months of 1993 generally held throughout the remainder of the year. Big drops in overall crime were reported in Fort Worth, Texas; San Jose, Calif., and Philadelphia, while many other cities, such as Baton Rouge, La., Tucson, Ariz., and St. Louis reported slight increases in the first six months of last year.

In some of the cities reporting declines, officials pointed to the impact of community-based or creative policing approaches. Those that suffered crime-rate increases, on the other hand, tended

to lay the blame on two familiar problems: drug-related crime and youth violence.

In Fort Worth, crime plunged by an astonishing 24 percent to its lowest level in 10 years, according to Lieut. Pat Knebllick. She credited the sharp decline to the department's involvement in the Justice Department's "Weed and Seed" program, in which drug-plagued areas are "weeded" through increased narcotics enforcement and "seeded" with social programs.

Knebllick also noted the addition of 55 officers hired under the city's "Code Blue" program, which increased funding for public safety efforts last year. The 55 officers are designated as neighborhood patrol officers whose primary responsibilities are to assess conditions that breed crime and work with resi-

dents to find solutions. Their efforts, Knebllick said, have resulted in a reduction of drug and prostitution activity.

"Code Blue" also provides funds for the Citizens On Patrol program, under which 1,500 Fort Worth residents have received 12 hours of crime-prevention training. COP participants cruise neighborhoods on the lookout for crimes in progress and other trouble spots, which are then reported to police, said Knebllick. Their impact is reflected in the lower crime rate, she noted, adding that "last year was the first time we had a lot of Citizens On Patrol participants out in the neighborhoods."

Community policing was also credited with contributing to an 11.1-percent drop in reported crime in San Jose. "People are trusting the police department more," said Officer Manny

Vasquez, a police spokesman. "We're having our officers spend more time at the schools with the students. In the past, police officers were not desired at the schools, but because of drive-by shootings and gangs, part of our community-policing program involves having officers at the school when students are arriving or leaving classes."

Vasquez said the department's priorities for 1994 will be increased efforts against the proliferation of firearms and gangs. Violent crime committed by juveniles — which Vasquez said has jumped by 39 percent in the past decade — remains a major concern, Vasquez said. Resources may have to be realigned in order to increase police efforts against youth violence since the 1,250-officer department is

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New-age crime reporting system is moving along ahead of schedule

The evolution of the nation's crime-reporting system from a summary to an incident-based format is proceeding ahead of schedule, with jurisdictions representing about 40 percent of the U.S. population expected to be nearly on line by year's end, according to an FBI official who heads the mammoth project.

Six states — Alabama, Colorado, Idaho, Iowa, North Dakota and South Carolina — are currently reporting crime data using the FBI's National Incident-Based Reporting System, said J. Harper Wilson, chief of the FBI's Law Enforcement Support Section, formerly known as the Uniform Crime Reporting System.

NIBRS is a long-range effort to modernize law enforcement data

collection in order to provide a truer, more complete picture of crime.

Testing of the system is underway or due to begin this year in Arkansas, Connecticut, Delaware, the District of Columbia, Guam, Indiana, Illinois, Kansas, Massachusetts, Montana, Nebraska, New Hampshire, New York, Ohio, Oklahoma, Texas, Utah, Virginia, Washington, Wisconsin and Wyoming, Wilson said. If all successfully complete the testing phase, their inclusion in NIBRS will mean that jurisdictions encompassing 40 percent of the U.S. population will be reporting incident-based data by the end of 1994, he said.

Not all are likely to complete the testing phase this year, he added.

NIBRS is expected to be completely on line by 2010 — a time frame that

Wilson said is "getting smaller. Implementation is actually going faster than we thought it could or would." The lingering recession has slowed the implementation effort somewhat because some jurisdictions cannot afford to add the extra personnel or purchase the computer hardware and software NIBRS requires, he said.

Funding for NIBRS, which faced the budget axe a few years ago, is being maintained, Wilson added, and the program receives the full support of the FBI. He suggested that the best time for police agencies to switch to the NIBRS format is when they computerize their operations.

The 52 distinct data elements to

Continued on Page 6

Public-housing gun ban is upheld in Portland

A judge in Portland, Me., has upheld a ban on the possession and display of firearms in the city's 1,000 public housing units, rejecting claims by two unidentified residents that it violates the state constitution and discriminates against low-income residents.

Superior Court Judge Sidney Wernick ruled Dec. 29 that the enactment of the ban by the Portland Housing Authority in 1975 was "a reasonable measure rationally related to advancing the health, safety and welfare of those residing in the PHA premises, and through them, the public as a whole."

The judge also termed "fallacious" arguments put forth by the plaintiffs that the ban denied residents "the constitutional right to 'equal protection of the laws' because they are predomi-

nantly low income." True, Wernick opined, "it happens to be the case the PHA's imposed firearms ban affects only persons of low income since it is only persons of low income whose housing accommodations the PHA has the statutorily conferred power and responsibility to manage, maintain and operate." It is not, however, because the plaintiffs are persons of low income that they are subjected to the ban on firearms.

The ban does not make it illegal for PHA residents to own firearms, but bars them from possessing or displaying weapons on the premises. Residents who own weapons must keep them elsewhere. Violations can result in immediate eviction proceedings against tenants.

The plaintiffs' attorney, Jeffrey Jones, said his clients, both gun hobby-

ists who have resided at the housing developments for 13 years, were "disappointed" by the ruling, and he expects to file an appeal with Maine's highest court. "It's very difficult to have a lower court justice declare an act unconstitutional," he told LEN. "We knew this issue would ultimately end up before the Maine Supreme Judicial Court."

Jones said he will continue to press the argument that the lease provision containing the gun ban violates Section 16 of the state Constitution, which guarantees that "every citizen has the right to keep and bear arms, and this right will never be questioned."

"It's our view, given the clear, succinct way that amendment is worded, that unless the citizen has deemed himself to be a non-law-abiding citi-

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What They Are Saying:

"The general sense we get from the residents is they feel more secure knowing that firearms are not present."

— John Hodge of the Portland (Me.) Housing Authority, on the recently-upheld ban on firearms in the authority's 10 public housing sites. (10:3)

Around the Nation

Northeast



CONNECTICUT — A state panel approved a program in November that deploys state troopers in Hartford and Bridgeport to help fight gang violence and drug dealing. Approval came just hours after troopers in Hartford were withdrawn from emergency patrols.

The Cheshire Prison Advisory Committee will distribute 300 phone pagers on a first-come, first-served basis to residents to warn them of any escape or trouble at any of the four state prisons in town. There were six escapes in 1993.

Ex-state trooper Ramon Valentin and Hartford police Sgt. Jose Morales were arraigned last month on drug, burglary and racketeering charges. The arrests stem from a two-year probe of police corruption involving drugs, pit bulls and cockfighting.

DELAWARE — New Castle officials say a soft economy is responsible for a record number of applicants for eight police openings with the state River and Bay Authority.

Mandatory drug sentences and inadequate funding for alternative sentencing are causing prison overcrowding, according to the Smyrna Sentencing Accountability Commission.

DISTRICT OF COLUMBIA — Four murders committed over the weekend of Dec. 19 brought the death toll for the year to 455. While the figure is higher than the 1992 total of homicides, it still has not surpassed the city's deadliest year, 1991, when 490 people were slain.

Twelve Metropolitan police officers pleaded not guilty in December to charges ranging from conspiracy to commit bribery to conspiracy to distribute cocaine after being arrested in connection with an 18-month FBI sting operation. The officers, who called themselves a "little army," bragged to an agent posing as a drug dealer about their crimes in an effort to impress him. Officers allegedly claimed to have sold cocaine before joining the force; stealing drugs from police custody and interfering with a homicide investigation to protect a defendant. Police Chief Fred Thomas asserted that the officers joined the department during an intensive recruitment effort in which "mistakes" were made.

Officer Jason E. White, 25, was killed and his partner was wounded when they stopped a suspect who turned and opened fire. Officer Earline Harris managed to return fire before being wounded. The last Metropolitan Police officer to be killed was Robert Remington, who was shot to death in 1987 by a suspect burglarizing a clothing store.

MARYLAND — This month, Gov. William Donald Schaefer will introduce emergency legislation authorizing a needle exchange program for the city of Baltimore. The program is one of the key recommendations in Mayor Kurt Schmoke's "harm-reduction" plan for Baltimore drug addicts. Other initiatives include increasing the availability of methadone, creating a special court to hear drug cases, and emphasizing

ing the arrests of violent criminals and drug pushers instead of petty offenders.

MASSACHUSETTS — Four guns that look like cigarette lighters were seized by Somerville police in November. Middlesex County District Attorney Thomas Reilly is investigating legislation to regulate sales.

A Boston teen-ager, Louis Brown, was shot to death on Dec. 21 as he headed for a meeting of Teens Against Gang Violence. Brown, 15, had hoped to be the group's first black president.

NEW JERSEY — A panel set up by the state Legislature said last month that a human relations council needs to be created to fight a steep rise in bias-crime. The council would train community leaders and act as an information clearinghouse.

Kenneth Holloway, a Newark police officer, was acquitted by a jury of the most serious charges against him in connection with the shooting 18 months ago of Howard Cesar, a suspected car thief. Holloway, who was convicted of fourth-degree aggravated assault for aiming his weapon at a passenger in the stolen car, will serve a mandatory 18 months. Cesar, who was seriously wounded in the stomach, is suing the city for \$50 million.

Northvale Police Chief George Vollmer had eight shots fired into his home last month by Edward Zingg, an officer disgruntled about not being promoted to sergeant. Police said Zingg, a 13-year veteran of the force, was upset after a Christmas party because he was teased about his patrolman status. Vollmer declined to press charges any more serious than unlawfully discharging a firearm.

NEW YORK — Manhattan's 30th Precinct is the target of separate probes by Federal and state investigators into allegations that officers distributed cocaine and stole money and drugs from dealers. Investigators say it could be many more months before any indictments are handed up.

According to a report by the New York City Human Resources Administration, child fatalities caused by abuse or neglect by a parent or guardian are down for the third year in row. Child welfare advocates said that more than half of the 84 children who died in 1993 were in homes with recorded instances of violence and abuse.

State Trooper Edward Pilus, 44, last month became the sixth trooper to be arrested in connection with the widening evidence-tampering scandal. Pilus, who is accused of faking a fingerprint in a 1991 carjacking case, was a member of an elite squad investigating the scandal that began in 1992 with the arrest of David L. Harding.

A New York City police detective was arrested last month for selling confidential information to mobsters. Joseph L. Simone, 43, a member of the Joint FBI-NYPD Organized Crime Task Force, has been charged with conspiring to steal and sell confidential law-enforcement information, a crime punishable by up to five years in prison.

A residential home for troubled youths in Lake Placid says it will no

longer accept rapists, those with "extremely low IQs," psychotic or suicidal youths, chronic arsonists and killers. The St. Francis Academy said the move is aimed at quelling community fears.

Convicted drug dealer Bobsey Miller, 43, was awarded \$50,000 by a Federal jury in Brooklyn. Miller charged that he had been wrongfully arrested and prosecuted by police who used excessive force by shooting him.

New York City police seized 425 pounds of heroin last month in the biggest single heroin bust in city history. The drugs have an estimated street value of more than \$277 million.

More people were slain in New York City during the first six months of 1993 than in the next two highest ranking cities combined. According to FBI statistics, 937 murders were committed between January and June, compared to 952 during the same period in 1992. The two closest cities were Los Angeles with a reported 532 murders and Chicago, where 373 people were killed.

A state Supreme Court jury found Patrick Bannon, 26, guilty in November for the murder of an off-duty police officer and another man in 1992. Bannon, a bouncer in a Queens bar, shot Housing Police Officer Paul Heideberger, 28, and John Camarda, 33, at point-blank range after a fight.

Concerned by the rising number of deaths attributed to chokeholds over the past eight years, the New York City Police Department has banned their use, in an order issued in November. The ban follows a trend by departments around the country in prohibiting or reviewing the chokehold.

Kwame Jackson, 25, of Queens, was convicted in November for the shooting death of off-duty Police Officer Milagros T. Johnson during a robbery in her car. Jackson faces 25 years to life in prison for second-degree murder and additional time on various counts of grand larceny and evidence-tampering.

Teaching police how to deal more sensitively and effectively with domestic violence is said to be a top priority of New York City's new Mayor, Rudolph Giuliani. Peter Powers, the head of the Mayor's transition team, said in November that police have to be taught to arrest the husband in these cases, while battered women need to be encouraged to press charges.

The state Court of Appeals has upheld the convictions of David Hernandez and Oswaldo Santana for the 1990 murder of State Trooper Joseph Aversa. Aversa, a member of the Federal Drug Enforcement Task Force, was shot by another task force member during a shootout that resulted from a botched drug deal, but the court said the actions of Hernandez and Santana caused a chain reaction that led to the trooper's death.

Prior to leaving office, outgoing New York City Police Commissioner Raymond Kelly offered Mayor Rudolph W. Giuliani several ideas for improving the Police Department, including raising the minimum age for police recruits from 20 to 22, requiring college credit instead of just a high school diploma, and denying a pension to any

officer convicted of a crime. While the city's Police Benevolent Association says it supports the idea of older, better educated officers, it opposes any interference with an officer's pension.

A New York City program, Toys for Guns, last month exchanged 317 guns for \$100 gift certificates for Toys "R" Us in just five days. The program proved so successful that a similar effort, Sneakers for Guns, supported by the Foot Locker sporting goods chain, is expected to start immediately.

Key initiatives in Gov. Mario M. Cuomo's recently unveiled anti-crime plan include ending parole for rapists and repeat offenders, requiring weapons training for gun-license applicants, creating a task force to investigate gun traffickers in New York City and a special court to speed their prosecution, and outlawing gun clips that hold more than ten bullets.

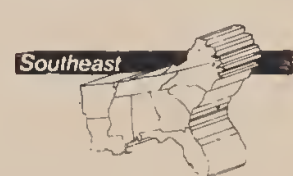
A U.S. district judge last month sentenced a mobster dying of AIDS to 10 years in prison instead of a life term for three murders. Judge Jack Weinstein said that although Gregory Scarpa Sr. had committed "acts worse than those of a wild animal," he should be shown compassion.

Jerome Sandusky, the victim of a New York City subway mugging, is suing to get the \$4.3 million awarded to his attacker, Bernard McCummings, who was paralyzed by a police officer's bullet and went on to win a lawsuit charging excessive use of force.

PENNSYLVANIA — Pittsburgh Police officers Margie Jak and DeVelma Coleman gave robbery victim Dina Wagoner money to buy more gifts for her son when her car window was broken into and the toys stolen.

Hundreds of police officers paid respects in November to slain Monroeville rookie police officer Frank Miller, 25. Miller was shot with his own gun in a scuffle as he tried to make an arrest in McKeesport.

VERMONT — The City of Rutland and Police Officer John Johnson must stand trial again over charges of use of excessive force in a 1988 shooting. Both were sued for gross negligence in the wounding of a robbery suspect. The first trial ended in a mistrial.



ALABAMA — Montgomery lawmakers are expected to fund an \$11.1-million increase for prisons this year, bringing the total allocation to \$169 million. More prisoners and higher medical costs for inmates were cited.

ARKANSAS — The word "true" in three-foot high letters on a billboard is the brainchild of the Rev. Hezekiah Stewart, a Little Rock clergyman. Stewart is hopeful the sign will send a message to gang members in the city, who are responsible for many of Little Rock's record 66 homicides in 1993.

Little Rock voters last month ap-

proved a half-cent sales tax increase to boost crime-fighting efforts.

FLORIDA — Gun shops in Florida did a booming business over the Christmas holidays, with many residents buying firearms to put under their trees as gifts. With the prospect of the Brady Bill becoming law, gun sales rose to 33,723 in November, a 22-percent increase over last year and a 40-percent increase over November 1991. Stores also reported record sales of hollow-point bullets, with consumers fearful of a possible ban on the ammunition.

Six fourth-graders from Tampa's Dale Mabry Elementary School will be prosecuted after they were caught in November with tiny bags of cocaine. The children range in age from 9 to 11.

GEORGIA — A conflict-resolution program, a statewide ban on weapons and laws to make parents more responsible for their children were among the recommendations made recently by an Atlanta task force on school violence.

Augusta police are looking for sponsors to help pay for trading cards with officers' names and photos on them. Police hope the cards will help improve their relations with children.

MISSISSIPPI — Jails in Neshoba and Sunflower counties have been ordered closed by the U.S. Justice Department after a sweeping review found the facilities "dirty, dangerous and unsanitary" and lacking in the trained staff needed to supervise prisoners. The review was ordered after complaints from civil rights leaders and others claiming that some of the 43 jail suicides over the past five years may have been racially motivated murders and that others could have been avoided with proper supervision.

NORTH CAROLINA — Concord community leaders urged calm after District Attorney Bill Kenerly issued a report concluding that police did not use excessive force in the arrest of Angelo Robinson. Robinson's death after he was sprayed with pepper gas sparked riots last summer. [See LEN, Oct. 15, 1993.]

TENNESSEE — Two Memphis attorneys asked last month that a grand jury hear new evidence concerning the 1968 assassination of Dr. Martin Luther King. Attorneys Wayne Chastain and Lewis Garrison between them represent five people claiming to have information about King's murder. State prosecutor John Pierotti, however, has called the lawyers' claims a "fraud upon the public." While authorities said they will interview witnesses with new information, Pierotti said he will not grant immunity to anyone claiming to have had a part in a conspiracy to kill King.

VIRGINIA — Smoking was banned in the Wythe County Jail after seven prisoners were charged with arson in a Dec. 14 uprising. Sheriff Wayne Pike also limited paper supplies and banned TV.

A campaign called "Kid With A Gun - Call 911" was launched in December to acquaint state residents with a new law that makes it illegal for a juvenile under 16 to possess a handgun or assault weapon. The program encourages people to call police when they see a teen-ager with a handgun.

Around the Nation

Midwest

ILLINOIS — A traffic radar system that photographs a speeding vehicle along with its license plate and driver is being tested by Lake Forest police.

Seventeen-year-old Chicago gang member Victor Garcia, was sentenced to 50 years in jail for luring his girlfriend to his basement so that he and fellow gang members could rape and beat her. Co-defendant Roger Wallace, 23, received 40 years.

Will County officials are considering a plan whereby hearings for Joliet prisoners would be conducted via a video link as a way of cutting cost and security problems. TV hearings are done in over 50 courthouses nationwide.

INDIANA — A South Bend grand jury has indicted Ku Klux Klan member Earl Martin and three others on Federal charges of assault on a black couple. The men broke windows, fired at the front door and cut phone lines so the couple could not call for help. They face 45 years if convicted.

Construction of a 288-bed Super-Max isolation unit at the Wabash Valley Correctional Center was announced by Gov. Evan Bayh last month. The state's most violent inmates will be kept in their cells and away from other prisoners for 23 hours a day.

The Indiana Court of Appeals ruled in December that without a warrant, police cannot look through garbage for evidence of criminal wrongdoing.

KENTUCKY — The Kentucky Sheriff's Association has named Hardin County Sheriff Charles Logsdon as Sheriff of the Year.

State troopers based in Mayfield, Dry Ridge and London began a trial use of cayenne pepper-based spray in November. If all goes well, all troopers will start using the spray this year.

MICHIGAN — A bill which would allow prison officials to listen in on inmates calls as a way of keeping drugs and weapons out of prison was approved by the state Senate in November. Opponents of the measure called it invasive and unproductive.

OHIO — Ground was broken in Lebanon in December for the construction of a new Community Based Correctional Facility, a program which will refer young, non-violent offenders into treatment or school instead of prison.

Eaton police arrested a 31-year-old carpenter in November on suspicion of being a serial rapist of older women. Steven Barker, of New Paris, is charged with only one rape in Ohio, so far. Police suspect him, however, of raping 12 women and trying to rape four others in Ohio and Indiana since January 1991, said John Lenhart, superintendent of the Ohio Bureau of Criminal Identification and Investigation.

WEST VIRGINIA — Beckley Police Chief Billy Cole warned residents last month of a con man calling up and

identifying himself as Chief Cole and trying to solicit donations to the Salvation Army.

WISCONSIN — The state's handgun hotline has denied guns to 567 convicted felons within its first two years of operation. Most mandatory checks can be conducted within 10 minutes.

More than one-third of the youths released from juvenile facilities between 1986 and 1990 were reincarcerated in juvenile or adult institutions within two years, according to a state report released in November.



MINNESOTA — Pleas for more police officers, judges and public defenders opened a two-day conference in December on violent crime, hosted in Minneapolis by Gov. Arne Carlson. The conference was attended by 100 community and business leaders, police, health-care providers and victims.

The state Court of Appeals ruled in December that drunken driving suspects who fail or refuse to take a breath test will automatically lose their license.

MISSOURI — Federal and local law enforcement officials fear they are tracking a serial killer after the deaths of two local children in the St. Louis area. The body of 10-year-old Cassidy Senter, abducted Dec. 1 from her suburban street in Hazelwood, was found Dec. 10 in a St. Louis alley. Police believe she had been dead for at least six days.

MONTANA — Six people in Helena last month challenged a state law that outlaws homosexual acts, with penalties ranging up to 10 years in jail and a \$50,000 fine. The plaintiffs charge that the law, although rarely enforced, is discriminatory.

The state prison system was labeled inadequate last month by the Justice Department, which cited only one doctor for 1,200 inmates and a waiting list of 400 to see the lone dentist.

NEBRASKA — An Alma grand jury has found no official wrongdoing in the death of a man fleeing police. Sylvester Petit, 35, who killed a Hastings police officer, killed himself running from authorities, the jury concluded.

SOUTH DAKOTA — Davison County has agreed to pay Lyle Nelson \$3,500 for keeping him a week past his release date from jail. Sheriff Lyle Swenson said his office made an error in adding seven days to Nelson's 30-day sentence for driving with a suspended license and without insurance.



ARIZONA — What Yuma residents thought was an earthquake in December turned out to be law enforcement and military explosives experts undergoing training in dealing with car bombs

at the local Marine Corps Air Station.

COLORADO — Federal prison inmates in Golden were assigned to remove asbestos without proper safety gear, officials admitted last month, but said none appear to have been exposed to dangerous levels of the substance.

Police and Federal agents in Denver will begin making unannounced visits to 348 gun dealers as part of a nationwide crackdown to ensure that dealers are obeying the law.

NEW MEXICO — Albuquerque District Attorney Robert Schwartz said he will ask a grand jury to indict an ex-sheriff's deputy who had consensual sex with a female inmate. Since there is no state law prohibiting an officer from having consensual sex with a prisoner, Schwartz said he would file charges of tampering with public records.

OKLAHOMA — Oklahoma City police Sgt. Michael Howell faces charges of forgery for signing the name of Judge Russell Hall on arrest warrants. Howell said he did it because he was pressed for time and could not find a judge.

Oklahoma County commissioners last month accepted a settlement with contractors who built the county's \$52-million jail. The jail was touted as escape-proof, but several inmates have fled through glass block windows.

TEXAS — Dallas police Cpl. David R. Galvin, 48, was killed in December when his cruiser was sideswiped, causing him to crash into a utility pole. Galvin was on his way to assist another officer who had stopped a suspected stolen vehicle.

Humble officials refused in November to allow a pregnant patrol officer to be reassigned to a desk job. According to City Manager James Baker, if 31-year-old Bonnie Hyde cannot perform her patrol duties, she will not be paid. The city, he said, has no policy for placing officers on light duty.

Michael Lowe, the grand dragon of the Ku Klux Klan, was fined \$13,000 and sentenced to six months in jail sentence in Austin in November for refusing to turn over membership records and other Klan materials to investigators probing reports of the Klan trying to run blacks out of the all-white town of Vidor. Lowe's lawyer, Anthony Griffin, who is black, lost his post as the state's NAACP counsel for arguing that Klan records are protected material under a 1956 U.S. Supreme Court case won by the NAACP.

Nearly 100 Hispanic police officers in San Antonio have joined a Federal class-action suit charging that senior white officers prevent Hispanics from

achieving key positions.

An Austin program which places undercover officers in liquor stores in an effort to curb underage purchases of alcohol is being expanded to Bexar, Hidalgo and Nueces counties.

UTAH — Sandy Police Chief Gary Leonard has resigned at the request of Mayor-elect Tom Dolan.

Shirley Jones, an ex-minister, was named in November to head Ogden's anti-gang community project.



ALASKA — A Superior Court judge in Ketchikan rejected a 1990 initiative re-criminalizing the possession of marijuana. Voters, said Judge Michael Thompson, cannot change the state constitution, which gives adults a privacy right.

CALIFORNIA — Petaluma residents and officials are questioning the handling by police of the Polly Klaas case in the aftermath of the 11-year-old's death, allegedly at the hands of Richard Allen Davis. Davis, 38, a career criminal released after serving time for kidnapping, assault and burglary, was initially questioned by police for 32 minutes and then sent on his way. It also appears that police withheld a description of the girl's abductor from all squad cars, fearing the information would be picked up by reporters, criminals and avid listeners of the police radio band. In a related development, police are re-examining the 1973 shotgun death of Marlene Vons, 18, which was labeled a suicide. Officials are interested in the case because the last person to see the girl alive was Richard Davis, Polly Klaas's alleged murderer. Davis told a psychiatrist that Vons was his girlfriend, had had his child and had committed suicide in front of him at a party.

Former Los Angeles Police Chief Daryl F. Gates has helped to create a video game called "Police Quest: Open Season." The game opens with the mutilation murder of an off-duty police officer and assigns the role of investigator to the player, leading him through a series of digitally re-created scenes of such locales as police headquarters, a strip joint, and a police hangout.

A Los Angeles couple was convicted in December of manufacturing illegal weapons and selling them to an undercover agent posing as a white supremacist. Christian Nidal, 35, was

sentenced to eight years in prison, his wife, Dora, 41, to three years.

Alan Winterbourne, an out-of-work computer engineer, opened fire last month in an Oxnard unemployment office and killed three people, including a police officer, before being shot to death by police.

Thirty thousand fliers were distributed by Los Angeles police officers last month, warning residents of a man who has molested 32 children since February. A \$60,000 reward has been posted.

Richard Campos, 18, of Sacramento, pleaded not guilty in December to attempted murder and other charges in connection with five racially motivated firebombings since July. Campos, who sympathizes with white supremacist causes although is not himself a skinhead, agreed to cooperate with police.

A Federal appeals court in San Francisco last month upheld a Federal ban on possession of a gun within 1,000 feet of a school. The ruling, which contradicts a decision by a U.S. appeals court in New Orleans in a similar case, paves the way for a possible U.S. Supreme Court look at the issue. The suit contended that the ban interferes with an area of the law reserved for the state.

A record 2,641 bank robberies were committed in seven Southern California counties over the past year, according to the FBI.

IDAHO — White supremacist Randy Weaver was released from prison in late December, just 16 months after a shootout with Federal agents left Weaver's wife and teen-age son dead.

NEVADA — Las Vegas police have reported \$250,000 missing from an evidence vault supervised by Sgt. Michael McKim. McKim, 47, a 20-year veteran of the force, committed suicide hours after being confronted about a gambling problem.

OREGON — Clatsop County District Attorney Julie Leonhardt will be forced to either face a recall vote or resign. Leonhardt is accused of framing two Astoria police officers on drug charges and securing leniency for her husband on traffic charges.

A Mothers Against Drunk Driving (MADD) report released in December says the state is better at legislating against drunken driving than it is at actually enforcing the law. The group wants to see higher alcohol taxes to finance tougher enforcement.

WASHINGTON — A Tacoma judge has ruled that Clinton Gordon Sr., 81, must serve 13 years for the rape of a 10-year-old girl.

MOVING?

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Trooping to D.C.

New York State Police Supt **Thomas Constantine** was named to head the U.S. Drug Enforcement Administration on Jan. 13, filling a post that has been vacant since October.

At a White House appearance following the announcement by Vice President **Al Gore**, Constantine said that drugs and violence had caused "a degrading of our society... that I would have thought unfathomable when I started in law enforcement" in 1962.

Constantine's appointment, which must be confirmed by the Senate, fills the last major vacancy in the Justice Department hierarchy. Since the Oct.



Thomas Constantine
Filling out the DoJ team

31 resignation of **Robert Bouner**, the DEA has been run by its former chief assistant, **Stephen Greene**.

In recent months, Constantine, a 32-year veteran of the State Police who has been its Superintendent since 1987, had emerged as the leading candidate to head the DEA. His nomination received strong support from FBI Director **Louis Freeh**, who believes the bureau should take a more active role in Federal drug enforcement policy. Constantine and Freeh enjoy a close professional relationship which dates back to when Freeh was a Federal prosecutor and judge in Manhattan. [See LEN, April 28, 1987.]

The selection of the 54-year-old

Constantine may help defuse criticisms that the Clinton Administration views drug enforcement as a low priority. Constantine is regarded as a by-the-book law enforcer whose agency has made increasing numbers of high-profile drug busts in recent years.

Long arm of the law

Baltimore Mayor **Kurt Schmoke** last month reached across the country to find a successor to Police Commissioner **Edward V. Woods**, who retired after 32 years in law enforcement.

Schmoke announced the appoint-

"What's that stuff?"

Those were the words reportedly uttered by **Fort Pierce, Fla., Police Chief R. Gil Kerlikowske** as he watched a snowstorm barrel through Buffalo, N.Y., late last month.

Snow — lots of it — is all too commonplace to Buffalonians, and a phenomenon Kerlikowske will have to get used to when he takes the helm of the Buffalo Police Department later this month.

Kerlikowske, a former St. Petersburg, Fla., police officer who also headed the Port St. Lucie, Fla., Police Department in the late 1980's, was selected by Mayor-elect **Anthony M. Masiello** to serve as his Police Commissioner on Dec. 22. Kerlikowske will replace **Richard T. Donovan**, who had wanted to stay on as Commissioner, but who now says he will soon retire.

Masiello said he chose Kerlikowske, whom he called a law enforcement "superstar," after an arduous national search by his transition team. Masiello, one of a number of newly elected big-city mayors swept into office by crime-weary voters last fall, said that Kerlikowske "will provide the professional leadership, the dynamic vision, and cutting-edge programs and techniques that will enhance both the performance of our officers and public confidence in that



Gil Kerlikowske
Goodbye, sun; hello, snow

performance."

Although the Fort Pierce Police Department, with 105 officers, is about one-tenth the size of Buffalo's police force, Kerlikowske said he is undaunted by the task before him. "It takes a long time to change a police department, and it will take a while here," he told The Buffalo News. "But all the officers here and everywhere else join for the same reason: to protect people."

Kerlikowske, 44, is nationally

known in policing circles, particularly for his leadership of the two Florida police departments, both of which achieved national accreditation during his tenure. He told members of the Buffalo Common Council that he would try to replicate his successful crime-fighting programs in New York's second largest city, using a community-policing philosophy as a foundation.

"Most of the progressive things going on in policing today are occurring in smaller communities because it's more difficult to implement changes in a larger city," he acknowledged. "These areas are hotbeds of innovation, and I was recognized for my innovations."

During a Dec. 30 get-acquainted session with the Common Council, some members expressed skepticism that a small-town police chief like Kerlikowske had the street smarts needed to run a big-city department. Kerlikowske said that on a per-capita basis, some crime is as rampant in Fort Pierce as in a major metropolitan area. But he insisted that his policy of giving officers more responsibility to prevent and solve crimes in the neighborhoods they patrol could also work in Buffalo.

Kerlikowske said he would not seek immediate changes after he is sworn in, but instead will explore ways to reduce unnecessary calls for service to improve the delivery of police services.

He said he also supports ending the department's current policy of using only two-officer patrol cars, saying there are many situations in which single-officer cars could be deployed without endangering officers.

Robert P. Meegan Jr., the president of the Buffalo Police Benevolent Association, told The Buffalo News he looked forward to working with Kerlikowske to make changes in the department, as long as they don't violate contract agreements or compromise the safety of his members. "If he continues to abide by the contract, we'll have no problems with this administration. That's all we ask," he said.

Before becoming Police Chief of the Port St. Lucie in 1988, Kerlikowske spent 15 years at the St. Petersburg, Fla., Police Department, where he rose through the ranks to become commander of its Criminal Investigation Division.

Kerlikowske holds bachelor's and master's degrees in criminal justice from the University of South Florida. He is a graduate of the FBI National Academy, the Police Executive Research Forum's Senior Management Institute, and the Executive Session on Policing at Harvard University's Kennedy School of Government. He currently serves as PERF's national secretary.

A doctor on call

Detroit Mayor-elect **Dennis Archer** last month tapped a former police commander who was head of security for Archer's mayoral campaign to lead the 3,845-officer Police Department, which has not fully recovered from the 1992 embezzlement conviction of former Police Chief **William Hart**.

Isiah McKinnon, who became a Detroit police officer in 1965 and was commander of the Tactical Services Section when he retired in 1984, will replace **Stanley Knox**, who became Chief following Hart's indictment in 1991. Hart is currently serving a 10-year Federal prison sentence for embezzling over \$2 million from a police undercover fund.

Archer announced his choice for Police Chief at a public school assembly in mid-December, saying he chose that site because McKinnon exemplified the importance of getting a good education. McKinnon holds a master's degree from the University of Detroit

and a doctorate in education from Michigan State University.

"Our police chief studied hard," Archer told students at the Alonzo Bates Academy. "I hope it shows that with hard work and dedication, you can be successful in life."

Archer told the students that McKinnon would place a high priority on making Detroit streets safe "so you can have your childhood back." He added that McKinnon would oversee a planned community-policing effort, redeploy officers to beef up patrol strength on the street and will be charged with creating "a world-class police department."

McKinnon, who reportedly left the force because he was unhappy with cronyism and political meddling in departmental affairs, hinted at an impending Police Department shakeup, saying he will do all he can to eliminate "political favoritism within the department."

During his policing career, McKinnon worked in the Police Department's recruiting and public information sections and also served as commander of its gang squad. McKinnon also served on the security details of former Mayors **Jerome Cavanagh** and **Roman Gribbs**.

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At the National Law Enforcement Officers' Memorial, Eduardo Gonzalez, the Director of the U.S. Marshals Service, presents a wreath to commemorate the 200th anniversary of the killing of U.S. Marshal Robert Forsyth, said to be the nation's first law enforcement officer to die in the line of duty.

Milwaukee PD finds itself in the middle of use-of-force storm

Minority-group leaders in Milwaukee, angered over recent police-involved shootings of suspects and alleged use of excessive force, are calling for the Police Department to make changes in its deployment policies to boost the number of experienced officers and supervisors on duty during high-crime shifts.

Others have also charged that the procedure used to investigate police-involved shootings is weighted in favor of officers, and suggest that an independent review of such incidents by a special prosecutor is warranted.

The criticisms have intensified in recent months following two fatal police-involved shootings that inquest juries ruled were justifiable. In one case that underscores minority concerns, a 26-year-old white officer with three years experience was exonerated in the shooting of Leonard Young, a black man who was killed Sept. 27, after the car in which he was a passenger was pulled over by police because it had no license plates.

Police learned that Young was wanted on a warrant for a minor offense. As Officer Mark Buetow and his partner approached the car to arrest Young, the door burst open, and Buetow shot Young as he began to get out of the vehicle. Buetow testified that he fired because he feared that an object in Young's hand was a weapon. It turned out to be a cassette tape.

Alderman Frederick Gordon said the killing of Young and other excessive-force incidents show that there are "too many young, inexperienced police officers patrolling the black com-

munity." He told LEN he has urged Police Chief Philip Arreola to find ways to increase the number of experienced officers and supervisors on the street, especially during high-crime "power shifts" that run from 7 P.M. to 3 A.M.

"There have been discussions with Arreola and other officials," said Gordon, including proposals to offer differential pay to more experienced officers and supervisors willing to work the power shift—a plan that would require

Continued on Page 10

Line-of-duty deaths continue their upward trend in the '90s

Memorial group says 154 lost their lives in 1993

Line-of-duty deaths of law enforcement officers reached their highest level in this decade in 1993, when 154 officers lost their lives, according to figures released Jan. 11 by the National Law Enforcement Officers Memorial Fund and Concerns of Police Survivors, a national self-help group for survivors of slain police officers.

The 1993 death toll is slightly higher than in 1992, when 146 police deaths occurred. Figures tallied by the two groups show that 588 line-of-duty police deaths have occurred since 1990, including 150 deaths in 1990, 138 in 1991, and 146 in 1992. That averages out to about 146 police fatalities a year so far in the 1990's, compared to 185 per year during the 1980's and 315 annually in the 1970's.

The deadliest year on record in U.S. law enforcement history was 1974, when 268 police officers were killed in the line of duty, according to Craig W. Floyd, chairman of the NLEOMF,

which built and oversees the National Law Enforcement Officers Memorial in Washington, D.C.

Floyd said the increased use of bulletproof vests by police officers "appears to be the primary reason for the long-term decline in deaths," and noted that better training and improved weaponry have also played a role.

"If not for soft body armor, the number of officers killed this year would have been twice as high," he said, adding that the vests have saved more than 1,650 lives since they first started being worn in the mid-1970's.

Even so, Floyd pointed out, the 1993 death toll indicates that "one police officer is killed somewhere in America every other day throughout the year. That is a national tragedy that simply must not be allowed to continue."

Of those who died last year, 102 were killed feloniously—79 by firearm—and 52 died from accidental causes, such as aircraft or automobile

crashes, being struck by a vehicle or drowning. The officers who died last year came from 37 states, 2 were from the District of Columbia, 16 were members of Federal law enforcement agencies—including four agents of the Bureau of Alcohol, Tobacco and Firearms killed in the Feb. 28 raid on the Branch Davidian compound in Waco, Texas—and 12 from Puerto Rico.

In addition to the Waco deaths, multiple fatalities occurred in seven other incidents last year, NLEOMF said.

For the sixth consecutive year, more officers were killed last year in Texas, 14, than in any other state. California recorded 13 deaths, followed by Florida and North Carolina, each with 8, and Indiana and New York, with 6.

The average age of the officers who died was 36 and average length of police service was 10 years. Ten female officers died in the line of duty—the highest number of women to die in any single year.

Defense procurement may be available to police agencies

State and local law enforcement agencies may soon be able to purchase large quantities of some types of equipment, such as small arms and body armor, through the Defense Department's procurement system, and thereby pay the same low prices available to the Pentagon.

An amendment to the 1994 defense appropriations bill, which was signed by President Clinton in late November, sets up a mechanism that will give state and local agencies the option to review the types of equipment available and the prices the Government pays for those items.

"I have discovered that some police departments have had to cancel or delay purchases of equipment because they simply did not have the money," said the amendment's sponsor, Representative Gary A. Condit (D-Calif.), who chairs the House Government Operations subcommittee on information, justice, transportation and agri-

culture. "My amendment is consistent with [Vice President Al Gore's] reinventing government effort. This is a no-cost, practical way to assist state and local governments and actually save the taxpayer some money."

Condit said he hopes the General Services Administration and the Defense Department will produce a catalog that will show what's available and how law enforcement agencies can use the procurement system to meet their equipment needs.

Among the items that might be available to police agencies are watercraft, small arms, body armor, gas masks, training and surveillance devices, and laboratory and forensic equipment. If the equipment is available, the legislation would permit police agencies to buy the equipment at the Pentagon's price, with a nominal fee charged to the police agencies to cover administrative costs.

A Congressional staffer who asked

not to be identified told LEN that the program is similar to one that has been in place for fire departments since 1980. In that program, the GSA conducts a review of the equipment that is purchased by various Government agencies and issues a catalog that lists those items available to fire departments.

But don't get those purchase orders ready just yet, the staffer cautioned. The Pentagon is currently developing a implementation plan, which is not expected to be complete until May.

The measure was originally sponsored in 1990 by Representative Robert Wise (D-W.Va.), after former Charleston, W.Va., Police Chief Edward Garnet told him his department had to cancel its plans to buy semiautomatic weapons for officers because of prohibitive costs. "He told us he could have saved thousands of dollars on a [firearms] purchase if he could use the defense procurement process," Condit said.

Getting "serious" about ADA, Feds sue over denial of police pension benefits

The State of Illinois and the City of Aurora allegedly discriminated against a police officer with diabetes and another suffering from a chronic back condition when it denied pension benefits to them in violation of the Americans With Disabilities Act, according to a lawsuit filed by the Justice Department on Dec. 28.

The suit, filed in Federal District Court in Chicago, was the first ever brought by the Justice Department against a municipal or state government under the 1990 law, which bars discrimination against the disabled.

"This is the kickoff of a new and expanding area of law enforcement, one that we take seriously," said James C. Turner, the acting assistant attorney general in charge of DOJ's Civil Rights Division.

He added that six more cases were now under investigation and that simi-

lar lawsuits could be filed in coming months. "I would assume that there are many more cities that just Aurora that are involved in this," Turner said.

Under Illinois law, pension boards may deny benefits to any firefighter or police officer who does not pass a physical fitness examination separate from the one they must pass to be hired as public safety workers. Using the law as the basis for its decision, the Aurora Police Pension Fund informed the two police officers they were ineligible for pensions when they retire because of their disabilities. In its lawsuit, the Justice Department contends that the Illinois law is discriminatory because it would deny benefits to the disabled, even if they were injured while on duty and forced to retire.

After negotiations to reach a settlement bogged down, the Justice Department moved to file the suit against the

city and state. The action angered Illinois Attorney General Roland W. Burris, who said that since the two officers are local, not state employees, the local pension board should be required to provide legal remedies if it is found guilty of violating the ADA. "State government cannot provide the remedy in cases where local pensions are allegedly at fault," Burns told The New York Times.

Michael Weinstein, a lawyer for the City of Aurora, said Mayor David Pierce had urged the pension board to uphold the officers' benefits and had asked the Justice Department to investigate the case. "We agree with the view that the Americans With Disabilities Act applies and that being handicapped should not be a basis for withholding pension benefits," Weinstein said.

Justice Department officials are examining pension rules in other states,

laying the foundation for more lawsuits to come. One employee benefits expert told The Times that Illinois's restrictions were unusual, perhaps unique.

"I've never heard of anything like Illinois's restrictions," said Paul Yakoboski, a researcher at the Employee Benefits Research Institutes, a nonpartisan organization that tracks employee benefits issues. "I'd be surprised if there were a lot of municipalities out there doing the same thing."

Turner identified one of the officers as Kevin Holmes, a diabetic who has been with the Aurora Police Department since 1985, but has been unable to get pension coverage. A Federal lawsuit he filed against the City and State last February is pending, according to Anne Berleman, one of his attorneys. Justice Department officials did not identify the other officer because he had not filed a lawsuit on his own.

Police strategies fuel crime decreases

Continued from Page 1
short-staffed, he added.

A more modest decline in overall reported crime — 1.1 percent through November — was chalked up in Ann Arbor, Mich., but credit was again given to what Sgt. Phil Scheel called "an aggressive community policing effort."

Scheel said police officials expect the downward trend to continue as the department readies two more "neighborhood storefront-style" police facilities. One such facility was opened in 1993, and two more are scheduled to open at shopping centers this year.

Virginia Beach, Va., also posted a slight decrease of 3.3 percent as of November, said Master Police Officer L. B. Thurston. Some of the decrease is credited to a decentralization of the department that allows precinct commanders to allocate resources based on their particular needs. The department also has a special operations unit that can be called on by precinct commanders if they need more assistance in attacking a persistent crime problem, Thurston added.

Los Angeles officials say reported crime is down in most of the FBI Crime Index categories, including homicide. In 1993, 1,058 homicides were reported

to police — down from 1,100 in 1992, the year of the city's devastating riots. Overall, crime is down 7.7 percent from 1992, according to LAPD statistics. "We like to think [the decline] is due to enforcement efforts, but nobody can really pinpoint the reason," said LAPD spokesman Officer Arthur Holmes.

Philadelphia continues to be "the safest of the 10 largest cities," due in part to the "community interaction" the Police Department has developed in recent years, said Sgt. Theresa Young. The 16-percent decline in overall crime in the first six months of 1993 is expected to be reflected in the year-end crime totals, which have not yet been compiled, she said.

"Commissioner [Richard] Neal is pleased that we're able to do more with less," said Young. The force, currently at 6,100 officers, has steadily declined as the city weathers a continuing fiscal crisis, she added.

Staffing levels restrict police efforts to reduce crime, even in cities where community policing has long been in place, such as Tucson, Ariz. Final statistics were unavailable, but Tucson reported about 1,200 additional Crime Index offenses in the first six months of 1993 compared to the same period in

1992, according to the FBI. Much of the increase was in property crimes, particularly motor-vehicle theft, said Sgt. Donovan Tatman.

"We don't have the number of people out there that we really need," said Tatman. "We do everything we can to trim the fat but we're still short in the field out there."

Auto theft has also become a major problem in Portland, Ore., another city that has pioneered community policing. Mayor Vera Katz recently appointed an auto theft strike force that includes four detectives and a sergeant who will develop a more proactive approach to problem, including a prevention campaign, said police spokesman Sgt. Derrick Foxworth.

Despite a 11-percent increase in murder and a 7-percent rise in aggravated assault, Portland police project that year-end statistics will show an overall crime decrease of about 2 percent. "A lot of people now recognize

that they have a role to play in the welfare of the city," said Foxworth, "and I think they're taking on some of that responsibility."

Drug-related crime was given partial blame for the record-breaking number of homicides reported in Baton Rouge, La., in 1993. Cpl. Kevin Cavelle said 83 homicides occurred in 1993, a 41-percent increase over 1992's total of 58, and well above the record of 61 set in 1991. "Violent crime goes hand in hand with drug activity," Cavelle told LEN. "You see an increase in drug activity, you will see a proportionate increase in Part I crimes because the drugs bring violence, shootings, homicides, burglaries and robberies. It's a vicious cycle."

In recent years, police officials have expressed concern about the rise in youth violence, and St. Louis police spokeswoman Christine Nelson said that violent crimes committed by those ages 17 to 24 helped drive the city's

homicide total to a record-breaking 267 killings. Violent crime rose 13 percent and property crime by 6 percent, for an overall increase of 7.2 percent, Nelson said.

Nelson added that city officials are looking at a number of measures to address youth violence, including revising juvenile criminal codes and funding youth job programs and gang-diversion programs.

Orlando, Fla., meanwhile, is typical of many cities over 100,000 population, most of which recorded a "mixed bag" — slight gains or decreases in overall crime. Orlando's crime rate was down by 4.6 percent overall, with declines posted in homicide (11.5 percent), robbery (5.1 percent), burglary (13.4 percent), larceny-theft (3.5 percent) and motor-vehicle theft (12.3 percent). Gains were noted in sex offenses, which rose by 6.7 percent, and aggravated assaults, which increased by 7.4 percent.

Change to incident-based crime reporting moves along

Continued from Page 1

be collected under NIBRS will include much more detailed information about the criminal offense, the victim, the offender and any property involved. It is also expected to give law enforcement a broader view of criminal activity in the United States, because NIBRS will also collect data on 22 crime categories instead of the eight serious offenses that currently make up the FBI's Crime Index. [See LEN, Jan. 31, 1990.]

The information may be used by law enforcement officials to plot crime trends and compare them to those in other jurisdictions. "It will allow police departments to talk between each other... Information is power, and we need to harness that power to do our jobs," said Wilson, paraphrasing the comments about NIBRS recently made to him by a Utah police chief.

The data collected during 1993 will be used to compile FBI reports that will analyze certain types of offenders and crimes, such as drug-related robberies. "We'll have the means to posit literally thousands of topical studies. The chore will be trying to decide which ones would be the most relevant and most important to do first," said Wilson.

In Iowa, which switched over to NIBRS in 1991, the data will be used to compile reports on such subjects as

hate crimes and domestic violence, said Pam Mally, coordinator of the data-collection effort at the state Department of Public Safety. Its annual report now includes a table on criminal incidents in which alcohol was a factor — information gleaned from the NIBRS data, she added.

Some departments, particularly larger ones, have been affected by the extra work NIBRS entails. "There's no question it requires more work," said John Jones, director of research and development for the Des Moines Police Department, who said the agency had to completely rewrite its automated UCR reporting system.

"That took a great deal of effort," he said. "We also had to modify some of our other automated reporting systems to expedite the entry of the information to make it easier for [workers] to do the data entry."

The time it takes to compile monthly reports has also increased from 10 days to about one or two months, said Jones. "That's primarily a function of the additional information that has to be collected," he said.

Jones said the data may have "strategic and planning value" for police. "The tactical value is lessened because of the time it takes to accumulate and report, so it doesn't lend itself to day-

to-day decision-making by people on the street.... Ultimately, the additional detail presumably will provide some better insight on strategic questions."

Dona Wood, a crime analyst with the Idaho Department of Law Enforcement, said that state's NIBRS effort is "going very well. We have 100 percent participation this year."

It took two years to get all of the state's 115 law enforcement agencies to complete the changeover, she said, with some jurisdictions hampered by funding problems.

Wilson said the NIBRS staff at FBI headquarters is increasing its contacts with chiefs and sheriffs so that any problems can be ironed out more quickly. "We're trying to make ourselves available at the state chiefs' and sheriffs' associations meetings," he said.

The FBI is also trying to develop software to hasten the analysis of the billions of pieces of data that will swamp the bureau once NIBRS gets closer to being a full-fledged reality. "Right now, we have to customize main-frame applications to analyze the data, and that takes unacceptable amounts of time and resources," he noted.

Currently, the FBI receives 1.6 billion records a year — a number that is expected to rise to more than 50 billion once NIBRS goes on line, Wilson said.

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DoJ ends anti-gay hiring bias

Attorney General Janet Reno last month added sexual orientation to the Justice Department's list of unacceptable forms of employment discrimination, just one week before the FBI agreed to end anti-gay bias as partial settlement of a lawsuit by a former agent.

The policy statement issued by Reno on Dec. 2 expands a list of unacceptable employment bias that had included race, color, religion, sex, national origin and disability. It orders "each component of the department," including the FBI and other law enforcement agencies operating under the DoJ umbrella, "to issue any further rules or regulations necessary to implement fully this policy statement."

The policy statement was issued a week before a settlement was reached in the class-action lawsuit filed in 1990 by former FBI Special Agent Frank Buttino, a 20-year veteran of the bureau who claimed he was fired because he was gay. [See LEN, Oct. 31, 1993.]

Under the settlement reached on Dec. 10, the FBI agreed not to discriminate against existing or prospective FBI employees based on sexual orientation or homosexual conduct. The FBI will no longer ask applicants about their sexual orientation or activities or use sexual preference as a basis for denying security clearances. However, investigators may "inquire into conduct, including heterosexual or homosexual

conduct, that is relevant to character, judgment, stability, responsibility, candor or discretion, or creates a susceptibility to coercion, duress, undue influence, pressure or compromise."

Until 1979, homosexuals were banned from the FBI, and since then its policy has been that homosexual behavior made it "significantly more difficult to be hired."

The FBI offered Buttino an undisclosed financial settlement, including legal fees and a partial pension, which he accepted. It also agreed to let Dana Tillson, a lesbian whose application was rejected when the bureau learned she is gay, to reapply. She will be hired upon passing a background check.

NYPD's Kelly looks back — and forward

New York City's recently departed Police Commissioner, Raymond W. Kelly, offered some sound advice to the new city administration during the

BURDEN'S BEAT

By Ordway P. Burden

changing of the guard over the New Year's holiday. Writing in *The New York Daily News*, Kelly urged the new administration to decentralize the top brass, embrace technological improvements in policing, renovate old precinct houses and other facilities, and enhance public support for the police.

Kelly said that with the steady growth of community policing by the NYPD, it's logical to let more authority flow down to commanders in the five boroughs that make up New York City. "Five chiefs, one in each borough, should be invested with the kind of authority and autonomy now reserved for the superchiefs at 1 Police Plaza [NYPD headquarters in Manhattan]," he wrote. "The ascension of borough chiefs would help ensure that resources are delivered in a way that best suits local conditions. It would also reinforce the authority of the individual police officer on patrol as those re-

sources found their way more quickly to his or her beat."

The former Commissioner said that specialized investigative units should be preserved. "But," he added, "police services generally — be they patrol, detectives or narcotics — should be coordinated and controlled to a greater degree at the borough level." Authority of precinct commanders should also be increased, he said. Such decentralization is "the logical extension of the 'beat cop is back' philosophy of community policing," Kelly explained.

The department continued its steady growth in manpower during Kelly's 17-month tenure as Commissioner and will soon top the 31,000 mark. Kelly pointed out that in February, the Police Academy is scheduled to graduate its largest recruit class ever. But he added, "The civilian support to keep those police officers on the streets is not there. It should be."

He also noted that the NYPD has made great progress in recruiting minorities, although modesty precluded his saying that it was mostly his doing. On the reasonable grounds that the department would more closely reflect the city's population, Kelly sought to get more African-Americans, Latinos and Asians to take the police exam. He

urged the incoming administration to continue to support that effort.

Kelly also called on the new administration to continue upgrading precinct houses and other police buildings. "Many buildings are in disrepair," he reported. "We've started the renovation in the precincts. That process needs to continue and be expanded."

Kelly maintains that the department's new Internal Affairs Bureau is working well. "It's making the cases that are making headlines — and many that are not," he wrote. "It would be a mistake to dismantle it." During the recent mayoral campaign, both Mayor David N. Dinkins and his successful Republican challenger, Rudolph W. Giuliani, said they favored an outside agency to monitor police corruption. (It's an idea that Kelly is on record as conditionally supporting.)

Kelly cautioned the new administration and the citizens of New York not to expect miracles. He noted that the breakdown of the family structure and the loosening of society's constraints on behavior have the job of law enforcement even tougher than it used to be. "Don't put unrealistic demands on the police," he urged. "Ultimately, how we raise our children and whether we demand minimum standards of good

conduct from one another will decide how safe the city can be."

Kelly's departure from the Commissioner's job became him. When it was announced that William J. Bratton, the Boston Police Commissioner, would be appointed as New York's new top cop, Kelly said that he had no regrets. "I've had the best career imaginable," he said. "For my entire adult life, I've been a member of the best law-enforcement agency in the world, in the most important city in the world."

In early January, he announced that he would take a professorship at the Robert F. Wagner Jr. Graduate School of Public Service at New York University. There he will lecture on urban management and policy and do research on criminal justice issues. While this brings to an end a 31-year career in the New York City Police Department, it's hard to believe that we have seen the last of Ray Kelly on the front lines of law enforcement.

The new Police Commissioner,

William Bratton, is no stranger to New Yorkers, although he has spent most of his 23 years in law enforcement in the Boston area. In 1990, he came to New York to head the Transit Police, who patrols the city's subways and buses. He went back to Boston in early 1991 and became the top cop there. While in New York, Bratton was highly praised for improving the morale of the Transit Police, upgrading equipment, winning accreditation for the agency, and cutting crime in the subways by one-third. Bratton has some big shoes to fill in the NYPD, but it appears that he has the talent to do so.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)

FBI's early retirement initiative

NY office head suspended prior to stepping down

The FBI is well-known for the terse "no comments" issued by its spokesmen when queried about ongoing investigations. The penalties for breaking that rule were made crystal clear last month when Director Louis Freeh unceremoniously suspended the head of the New York field office, for making comments on the investigation of the World Trade Center bombing during a TV news program.

James M. Fox, 55, who led the investigation into the terrorist incident, was suspended Dec. 10 — less than a month before his scheduled retirement.

FBI spokesman John Collingwood was tight-lipped about the reason for the suspension. "Director Freeh made the decision to place Assistant Director Fox on administrative leave with pay until his retirement in January," he said. "He did so after carefully reviewing inappropriate public comments Fox made about a pending prosecution."

FBI policy bars personnel from

commenting on active cases. Fox reportedly broke that rule when he answered a question about an informant who claims he warned the FBI about the planned bombing prior to the Feb. 26 blast, which killed six people and injured over 1,000. "He gave us nothing," Fox replied. "No one gave us anything. If we had information, we would have prevented the bombing."

Four men are currently on trial in Federal court in Manhattan, charged with the Trade Center bombing. The trial of 15 other defendants accused of plotting a followup terrorist bombing of New York City bridges, tunnels and buildings is due to begin in the spring, and Judge Michael B. Mukasey has forbidden lawyers and law enforcement officials from discussing evidence that might be presented at that trial.

At the center of both cases is Emad Salem, an informant who helped authorities nab the 15 alleged conspirators in June as they made final prepara-

tions for their series of attacks. Fox's remarks apparently referred to Salem's claim that he had disclosed information about the Trade Center bomb plot to FBI officials prior to the blast.

FBI officials played the suspension close to the vest; no accounts of it appeared in New York newspapers until Dec. 21, when it was reported by New York Newsday. Sources quoted by the newspaper said Fox, a highly regarded, 31-year FBI veteran, was "shocked and speechless" after he learned of the action in a telephone call from Freeh.

Fox, who headed the New York office — the FBI's largest, with 2,200 employees — for six years, was scheduled to retire Jan. 3 to join the Mutual of America insurance company as an executive vice president.

William Gavin, a former special agent in charge of FBI field offices in Denver and Miami, will succeed Fox. Gavin, 52, has worked in the New York field office since July 1992.

Two new states added to the list of those with CALEA-certified agencies

Twenty law enforcement agencies were accredited and 11 others reaccredited at the most recent meeting of the Commission on Accreditation for Law Enforcement Agencies, held in Lexington, Ky., on Nov. 15-21.

The total number of law enforcement agencies accredited by CALEA since the program began in 1979 now stands at 288.

Among the agencies that successfully completed the accreditation process are the West Monroe, La., Police Department and the Sandy City, Utah, Police Department — the first agencies in their respective states to earn accreditation.

The other agencies to earn the

CALEA nod include the police departments in: Mesa, Ariz.; Columbus, Ga.; Gwinnett County, Ga.; Elk Grove Village, Ill.; Kansas City, Kan.; Bowling Green, Ohio; Reynoldsburg, Ohio; Springboro, Ohio; Troy, Ohio; Union Township, Ohio; Upper Arlington, Ohio; Bensalem Township, Pa.; Findlay Township, Pa.; and Midland, Texas.

Also the Grants Pass, Ore., Department of Public Safety; the Wayne County, Ind., Sheriff's Department; the Lexington Fayette Urban County (Ky.) Division of Police; and the Johnson City, Tenn., Department of Public Safety Police Bureau.

The police departments that were reaccredited are those in: Coral Springs,

Fla.; Largo, Fla.; Savannah, Ga.; Glenview, Ill.; Skokie, Ill.; Fort Wayne, Ind.; Northborough, Mass.; Stow, Mass.; and Pampa, Texas.

The New Castle County, Del., Division of Police and the Hampton, Va., Police Division were also reaccredited.

Florida continues to lead the nation in the number of accredited law enforcement agencies with 32, followed by Ohio, with 29; Illinois and Virginia, with 23 each; Georgia and Texas, with 14 each; and North Carolina, 11.

CALEA spokeswoman Margaret Levine said that 304 agencies from 44 states were represented at the November meeting. CALEA's next meeting will be held March 23-26 in New York.



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Violanti:

Let's get radar debate back on the beam

By John M. Violanti

A recent article in *Police Chief* magazine titled "The Effects of Police Radar Exposure: Another Perspective," by Commissioner Maurice J. Hannigan and Officer Paul E. Crescenti of the California Highway Patrol, evoked considerable interest on the part of this writer. The article entailed a critique of several points I made in an earlier article, "Police Radar: A Cancer Risk?," published in the October 1992 issue of the *FBI Law Enforcement Bulletin*.

Contrary to the implication in the title of the Hannigan/Crescenti piece, it was not my intention to take a "perspective" on police radar and cancer in my original article. I had hoped merely to point out the methodological difficulties with studying this association, which is why the title of my article took the form of a question. I had approached the topic with an open mind, but as I surveyed the literature, it became clear that not very much is currently known about the subject. It is my bias, however, that police radar under chronic exposure is indeed a part of the causal chain that links electromagnetic fields (EMF) with cancer.

Lifestyle Factors

Hannigan and Crescenti first cite the following passage from my 1992 article:

"Another criticism of EMF-cancer studies concerns the absence of information on other factors that might associate cancer with police officer exposure to radar EMF, such as lifestyle, diet, smoking, alcohol use, and exposure to chemicals. Certainly, these factors may confound any research on police radar and cancer, but interestingly, most of these other behaviors do not relate

to the cancers associated with exposure to radar EMF."

Based on this quote, Hannigan and Crescenti go on to state that my article overlooked other factors related to microwave radiation. The cited passage, however, refers to findings in the literature which suggest that the types of cancer found to be associated with EMF are generally not re-

lated to the cancers associated with exposure to radar EMF."

The Dosimeter Debate

Hannigan and Crescenti offer this observation on a statement made in my article concerning the

"Radar and cancer is a sensitive emotional issue, as well as a practical one. . . . We are just beginning to realize that police work is indeed a hazardous occupation, not just because of the danger of crime, but also the environmental exposure with which officers must contend on a daily basis."

lated to the other factors mentioned in the quote (lifestyle, diet, smoking, alcohol use, chemicals, etc.). This suggests that EMF by itself may be an important etiological condition under which certain cancers are promoted. The quote has nothing to do with other sources of EMF. I do agree, however, that police officers are indeed exposed to many sources of EMF in their work.

Hannigan and Crescenti then state: "CHP has over 30 years of exposure experience operating high-power long wave radio communication equipment — with no identifiable cancer trends attributed to these systems. . . . [O]ur hand-held radios, which also have much greater output power than our radar equipment, have not caused any known cancer injuries. . . ."

With this statement, however, Hannigan and Crescenti fail to provide scientific evidence to support their claim that CHP has no cancer trends within its ranks. If a scientifically valid, epidemiological study has been done on a 30-year cohort of CHP officers who have used radio equipment, the results should be publicized. Otherwise we do

measurement of EMF output power with a dosimeter:

"All dosimeters examined by my staff are associated with the measurement of overall exposure to ionizing radiation; police radar microwaves are non-ionizing. Even if a 'dosimeter' for traffic radar was assembled, it would not measure the 'strength' of a magnetic field. . . . [Violanti's] statement that the dosimeter 'calibrates milligauss units' is impossible."

Admittedly, a more commonly used measure of radio frequency electromagnetic fields is "power density." I chose to specify dosimetry using milligauss because I believe that magnetic field strength is just as important as power density in radar EMF.

The term "dosimeter" is a descriptive word referring to many types of instruments that measure dose exposure. In the case of EMF, a dosimeter would be a device which measures dose exposure to some electromagnetic field. True, the most common measure of radar EMF is power density. Power density, however, only measures a single constituent of the field.

There is a difference between electric and magnetic fields. Electric fields are produced by an electric charge on the surface of a conductor which is related to the conductor's voltage. Magnetic fields are present only when electric current flows. Thus, when we measure power density we measure only one component which supposedly represents the total EMF. In order to measure magnetic field strength (non-ionizing radiation), a dosimeter can measure the magnetic flux density (units of gauss). Since electric and magnetic fields can produce distinct biologic effects, it may be a good idea to use a dosimeter not only for power density but also for magnetic flux density.

The Patrol Car as Oven

Hannigan and Crescenti suggest in their rebuttal that my use of a microwave oven as an analogy for radar use in a police vehicle was improper. They state: "Violanti indicates that when the windows are rolled up, the patrol car is turned into a microwave oven that continuously permeates the officer with microwave radiation that cannot escape. He has a very different understanding of microwave radiation than do our experts."

My use of a microwave oven as an analogy for radar in enclosed police vehicles was simply that: an analogy. Hannigan and Crescenti correctly observe that microwave ovens have high wattage and radar units do not. But wattage is not the issue. The issue is permeability and reflectivity of glass, steel and other materials found in police vehicles. A study by Dr. David Fisher of the University of Michigan offered this view:

"In free space, EMF waves propagate in straight lines, and the power densities at any point with respect to the distance from and orientation to the antenna are quite predictable. But in practice, the radar device does not operate in free space. Objects are present, such as glass, steel, plastic and people. And these objects can absorb, reflect or refract electromagnetic waves. These factors make actual power density patterns for radar devices used in and around patrol vehicles more complex."

In effect, Fisher is saying that when radar operates in an environment where other materials are present, its power density and propagation may vary. In a police vehicle, radar EMF reflects from glass, steel, plastic and patrol partners.

Magnetic and electrical fields, in addition to having distinct biological effects, are conducted differently through different materials. Magnetic fields, for example, can easily permeate window glass but electrical fields cannot. Thus a patrol vehicle with the windows closed might increase the biological effect generated by radar electrical fields and some refracted magnetic fields.

One further point concerns the change in temperature brought about by closing vehicle windows, with Fisher having found that the power density of radar EMF is dependent to some degree on ambient temperature. As the temperature inside a police vehicle decreases, efficiency of the radar oscillator increases, sometimes by as much as 15 percent. Thus in hot climates, where police vehicles are air-conditioned, closing the windows and lowering the temperature inside the vehicle through air conditioning can increase the power density of radar.

EMF as Suspect

Hannigan and Crescenti discussed a study which I co-authored with other researchers. Their

Continued on Page 10

Letters

Getting the lead out

To the editor:

The article "Firing Ranges Targeted as Eco-Hazards" (LEN, Sept. 30, 1993) has become quite true. Many ranges in the country are facing such problems. As time goes by, more and more closures of ranges will occur unless something is done.

I developed a lead containment/recovery system for ranges. I have just received my patent for it, and my plans are copyrighted. The design is based on the premise of preventing lead and other contaminants from contaminating the ground water, as well as the surrounding area. The system is housed inside a sealed containment structure. The user decides the type of material to be used. This allows for greater flexibility with limited budgets.

The system is designed in such a way as to divert the contaminants into a collection system. Once inside the collection system, the lead can be collected and disposed of in the proper manner.

Having a self-contained system where the bullets can be easily collected and periodically sifted ensures that the lead will not decompose and cause a problem.

CRAIG C. COPIUS
Seaford, N.Y.

Money in the talent bank

To the editor:

I read with great interest — and with lots of fond memories of my own role with LEEP — the Gerry Lynch "Forum" article ("A Dream Deferred No Longer") in the Dec. 15 issue of LEN.

How true that both the dream and the plans for college-educated police have been too slow in arriving for us all. However, there have been

continuing efforts on the part of many of us. In New York City, it's the Police Cadet Corps; in Dade County (Miami), Fla., it's what is termed the Pre-Service Institute (PSI). They both have similar goals and, in fact, are not even all that new.

Because our graduates become eligible for employment anywhere in Florida, the matter of job availability is never of great concern. The way we have attempted to ensure a personal career commitment to policing is that the student/applicant must pay his or her own tuition for educational credits and the basic training curriculum. How nice it would be to have the Federal Government again move into this arena and help to pay that cost.

We, too, as Lynch noted in his comments, require all of the job criteria to be met before one may participate in the PSI. That way we have little likelihood of training and preparing someone who would be unacceptable to the police agencies. This absolutely must be resolved before any Federal monies would pay the tuition; to do otherwise is unfair to the job candidate and equally unfair to the taxpayer and the prospective employer — the police.

I, too, hope that the skeptics do not scare off the plan that has been proposed by the Clinton Administration. It's too much like LEEP for us to let it slip away. Instead, let's ask the Federal Government to set payment expectations, enforced in a manner similar to Federal financial aid, before tuition and fees can be paid. Then the educational institution, with local agency guidance, can determine what criteria will be expected of those who apply, and such decisions will then remain at the local/state level. Qualifications are now set by state standards, so it should be relatively easy to adapt our Federal tuition support rules to those

same existing job requirements. The question I have continued to raise as I read the news accounts of the "100,000 newly proposed police officers" is: What about existing state standards and mandatory training requirements that are already in place? These must be met!

Assuming we place selection criteria on the front end, and make bona fide occupational qualifications serve as requirements into the "Cadet" program, and award academic accomplishments for the entire learning experience, using Federal funds to cover only instructional costs, then we should produce the best possible results toward the "national goal," as Dr. Lynch calls it.

The police will benefit from the talent bank which will be produced. The taxpayers will only pay for those who can qualify for sworn positions. The colleges will provide courses which are job-relevant in order to earn the external funding support. And the hiring practices, supervised practical internships and all facets of basic training can be conducted as part of our rigorous educational setting.

A side benefit, yet perhaps one of the most important derivatives, is also to be noted from Lynch's article: that of having police training integrated into the academic experience. This writer has argued for decades the point that police training, like medical, legal, teaching, business, and social work professional studies, belongs within the higher educational system. Happily, in Florida that is exactly the way it works.

JAMES D. STINCHCOMB
Director

Public Safety Regional Training Center
Miami-Dade Community College
Miami, Fla.

Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Buying a book, not its premise:

A thin, one-sided look at privatization

The History and Politics of Private Prisons: A Comparative Analysis.

By Martin P. Sellers.
Cranbury, N.J.: Associated University Press, 1993.
97 pp.

By William Burger

Sellers has made a valiant attempt at analyzing the rationale behind the movement to privatize American prisons. However, the title of his book is somewhat misleading in that what he purports to accomplish is impossible in such a short work. While Sellers enumerates the issues involved in the privatization movement, his analysis is one-sided, to say the least.

Sellers is not a disinterested spectator in the debate over privatization of prisons, but rather an active participant. His position becomes apparent in the first chapter: he supports such privatization. His support is anchored in the proposition that it costs the taxpayers less when prisons are in the hands of private industry rather than being a service provided by the government. Cost of operation is enough reason for Sellers to endorse privatizing prisons. He implies that the deregulation movement initiated by the Reagan Administration was a wise decision. Sellers, it seems, would subscribe to the philosophy that what is good for business is good for America.

Throughout the abbreviated text Sellers argues that the private sphere is better and more efficient at delivering service than is the public sector. While this assertion may be correct in some areas, the record that the private sector has compiled in the area of service delivery is at best a mixed one. Healthcare delivery, for example, offers some

illustration that private industry may not be up to the task when it comes to providing for all members of society.

He also argues that with the privatization of prisons, contracts could be negotiated more quickly, and thus more cheaply. This position is also fraught with problems. The history of corporate America when it comes to charging the taxpayers for overruns on contracts is not one that should be celebrated. Sellers maintains that this lowballing would not occur when prisons are privatized, but history clearly suggests that such a pattern would repeat itself. Finally, Sellers addresses the issue of liability for injuries received by inmates while incarcerated in the new private prisons. His approach follows the one that corporate America has used time and time again: when costs are high, pass them on to the taxpayers. One need look no further than the recent savings-and-loan bailout to find convincing evidence of this.

Prior to the Civil War, Sellers asserts, prisons were cost-effective, meaning that they produced enough goods to pay for themselves. In addition, the author argues, one of the forces that undermined that self-sufficiency was unions. Since inmates were not paid, so the argument goes, they could produce goods more cheaply, thus lowering the wages of workers on the outside. These points are correct, but Sellers neglects to mention that the conditions in jails and prisons at that time were abominable. Jailers were not paid by the state, but rather by fees charged to the inmates. The most affluent inmates received the best care, while those who were less fortunate received virtually none. Sellers also fails to note the corruption that existed, whereby inmates could be hired out to local farmers or others. The care of the in-

mates varied from acceptable to horrible, depending on the good will of those who had hired them. This is not to suggest that this would happen again with the privatization of prisons, but let us not look to the past through rose-colored glasses.

When Sellers discusses the legal issues involved in privatization, such as the use of deadly force, his stance is quite clever. He argues that since there are private police, it is logical that there can be private prisons as well. The problem rests upon the assumption that private police are a desired good. Following that train of logic, those who can afford to hire private police are awarded double police protection: one from that provided at taxpayer expense and one that they can afford to purchase. Most members of society would not accept this as desirable, and the failure of such an analogy undermines Sellers' argument.

This reviewer's principal difference with Sellers is not with respect to the costs of prisons; we both agree that they are a drain on the budgets at all levels of government. Rather, one can find fault with Sellers' analysis in other areas.

First, he accepts the proposition that the number of inmates is going to increase for the foreseeable future, and that consequently we must build more prisons. There is no assurance that this position is correct, but one observation may shed some light. According to the U.S. Department of Justice, 44 percent of the increase in the prison population from 1986 to 1991 was due to inmates sentenced for drug offenses. If almost half of the increase can be attributed to drug crimes, there ought to be a cheaper way to deal with these offenders than through incarceration. Alternative sentences might be developed for some, thereby eliminating the need for increasing amounts of prison space.

If the current system for dealing with prisons is inadequate, why not modify the current system rather than developing an entirely new one? Sellers rightly observes that the current bureaucratic system leaves a lot of room for improvement, but why not attempt to improve that which is currently in place? No system, whether private or public, is immune to change.

One of the primary reasons for the abysmal conditions in prisons is that we

are unsure of the purpose they are to serve. Is it punishment? Rehabilitation? Something else entirely? This issue is never addressed in Sellers' work, and unless it is, changes in the correctional system are impossible.

A final area of disagreement with Sellers rests on the notion that in a legalistic sense, the inmate has injured the interests of the state and not an individual. Since it is the state that has been injured, it is the state's duty to punish the transgressor. Cost should not be the motivating factor in prisons, but rather the issue of who is to punish those who refuse to abide by the rules of the state. It is unseemly that some individuals might be able to turn a profit by the evils that others do.

Admittedly, Sellers' book is a contribution to the debate over privatization. His arguments are logical, if one accepts his underlying premises. Clearly, though, one can enjoy the book while disagreeing with his premise.

(William Burger, Ph.D., is chairman of the Department of Sociology and Anthropology at Longwood College in Farmville, Va.)

Field guide offers street cops a pocketful of procedural help

The Field Guide to Law Enforcement, 1993 ed.
By Lloyd L. Weinred and James D. Whaley.
Westbury, N.Y.: Foundation Press, 1993.
89 pp.

By Walter M. Francis

"The Field Guide to Law Enforcement is a concise handbook for police officers covering the legal areas and other issues faced by officers during their street patrol duties. The book, produced in a small, pocket-sized format that can be carried on an officer's person or in a briefcase, addresses six major content areas: encounters with private persons; arrest; search and seizure; identification; interrogation, and undercover investigation.

A detailed table of contents, along with block-lettered headings at the bottom of each page, allow the user to locate quickly and easily a given sub-

ject area. Each major division of the book begins with a detailed topic index, organized alphabetically to provide an additional quick reference for the officer. These easy-to-use indexes enhance the book's practicality for police officers.

The Foundation Press annually publishes a new edition of this work. New court decisions are reflected in each edition to provide officers with up-to-date legal decisions from the U.S. Supreme Court. Since many police departments do not provide detailed training for officers in the field of procedural law, this guide can serve as an excellent resource for departmental roll-call training. Many improper and illegal procedural decisions which now take place because of poor training in this area could be handled properly if officers had access to this inexpensive resource.

This reviewer has successfully used the guide as a supplemental text in a college-level procedural law course.

Training academies will also find the guide very useful in basic training courses as well as more advanced investigation courses. If further enticement is needed, bulk orders receive a substantial discount, thus providing entire departments with a very cost-effective means of assisting officers in practical decision-making pertaining to the rules of law in our society.

A reasonable goal would be to provide all police officers with this book through federal funding or private donation projects on a state or local basis. Officers then would have less reason to make procedural errors in their street policing duties. Less evidence would be suppressed, more criminals would be successfully prosecuted and their appeals would be less successfully argued.

(Walter M. Francis, Ph.D., is an associate professor of criminal justice at Central Wyoming College, in Riverton, Wyo.)

Complexities of chief's role explored

Power and the Police Chief: An Institutional and Organizational Analysis.

By Raymond G. Hunt and John M. Magenau.
Newbury Park, Calif.: Sage Publications, 1993.
162 pp., \$18.95 (pb).

By Thomas E. Engells

This book, the 10th in the Sage series "Studies in Crime, Law and Justice," is a scholarly treatment of the institutional role of the police chief in the modern municipal American police department. While limited in length, the book is well documented and referenced.

The book is "an institutional treatment of American police that focuses on its leadership." The authors thoughtfully explore several issues, ranging from institutional politics of policing to leadership in problem-oriented policing.

This book contributes to closing an identified gap in the professional literature: the absence of books focused on police chiefs. The police chief, in stark

contrast to the business chief executive, is rarely subjected to such skilled analysis and insightful discussion. Books of this nature enable interested persons to more fully understand the complex role expectations and organizational impediments faced by the modern municipal police chief.

While less than 200 pages, "Power and the Police Chief" is not a casual read, yet the book rewards the reader's effort. The authors challenge some prevalent beliefs about the role and power of a police chief. Consider organizational power. They write: "[T]he ability of chiefs to influence the operations of their weakly rationalized and bifurcated departments is naturally quite modest."

This book is true to the Sage series' objective of research-based books on topical issues, written in non-technical language. Police chiefs and other criminal justice professionals will find the book and its arguments to be challenging and thought-provoking.

(Thomas E. Engells is a lieutenant with the University of Texas-Houston Police Department.)



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Portland's public-housing gun ban upheld

Continued from Page 1

zen, then you can't start banning possession of firearms for all classes of people. . . . Every citizen means every citizen," Jones said.

Roy McCandless, the attorney who represented the Housing Authority in the case, said the ban was upheld because the city "has a legitimate interest in providing safe and decent housing."

"The court found that the ban has a rational relationship to that goal," he said, "by decreasing the degree of severity of violent incidents at the Housing Authority both for domestic violence and criminal incidents. . . and also decreases the chance of accidents involving firearms, particularly those in-

volving children."

The ban was imposed after a series of violent incidents involving youth gangs in the mid-1970's, McCandless said, a state of affairs noted by Wemick in his opinion. The situation was so bad, according to Police Chief Michael Chitwood, that postal carriers refused to enter the developments to deliver mail and firefighters would not respond to alarms without police escorts.

Housing Authority and police officials say that while they can't credit the ban for eliminating crime from the developments — which house about 3,000 people in 10 sites around the city — gunplay and shootings are virtually nonexistent in them.

"There have not been any deaths or injuries due to firearms on the properties," said John Hodge, an assistant to PHA executive director Peter Howe. "We would attribute that to the ban. The general sense we get from the resi-

dents is they feel more secure knowing that firearms are not present."

Hodge said he could recall few, if any, evictions of tenants for violating the ban, which he said is loosely enforced. Those residents spotted with firearms within PHA grounds are usually asked to remove them before more severe actions are taken, he said. "It's been there, people know it, and the majority of residents abide by it," Hodge said of the ban, which drew support from 83 percent of the residents polled by the PHA in 1987.

Hodge said Housing Authority officials know guns are kept at the developments, but violators keep them well hidden for fear of eviction. He said enforcement efforts might have to be strengthened "now that we've been pressed against the wall" in the legal effort to overturn the ban.

Chitwood, who is a nationally recognized advocate of gun control meas-

ures and who testified at the hearing on behalf of the PHA, told LEN that by no means are Portland's housing projects crime-free. They are bedeviled by the poverty, hopelessness, drugs and gangs found in any public housing development in urban America, he said. What Portland's housing projects don't have, he added, is the gun violence that is endemic in other urban areas of the nation.

"The ban has worked and has had an impact. I won't say that there aren't any guns in those housing projects — there are — but people are afraid to display them or be caught with them because they know that they can be evicted," said Chitwood. "We respond there five or six times a day on all kinds of calls but the gun violence we see throughout the city is almost nonexistent in these housing projects."

The National Rifle Association, which paid the legal fees of the plain-

tiffs in the Portland case, has sought to overturn similar bans in other parts of the country with varying degrees of success. Similar bans in Portland, Ore., and Austin, Texas, were scrapped after they were found to violate the state constitutions.

Two years ago, the NRA attempted to overturn a firearms ban in Chicago, but backed off after 10 lawyers agreed to defend the ban pro bono. In Richmond, Va., a Federal judge upheld a rule banning guns in that city's public housing sites, but Virginia lawmakers later approved new regulations that allow public housing residents to keep guns at home.

"Our general position is that the bans are discriminatory," said NRA spokesman Bill Powers. "Essentially, they're saying that if you're low income and live in public housing, you don't have the same rights as somebody who doesn't."

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No shortage of suggestions for dealing with Milwaukee use-of-force complaints

Continued from Page 5

the approval of the Milwaukee Police Union. "The power shift assignment is the most intense, particularly in the high-crime areas. The officers with seniority have paid their dues and don't want to go back on that shift," Gordon noted.

Seniority "is a sacred cow to the union" that will require "some type of compromise between the Police De-

partment and the police union," said Lieut. Lenard Wells, a 20-year veteran who is president of the 227-member League of Martin, a fraternal organization of black police officers.

Wells told LEN that over half of the officers in the Milwaukee Police Department were hired since 1988. "Will youth create aggression or overreaction? Yes, when they are not properly monitored while on the streets."

According to police statistics, nearly 400 officers have been hired by the 2,000-officer agency in the last three years. The department extended the probationary period for new officers, but police officials say they cannot deploy more experienced officers to night shifts because of seniority rules. "Unfortunately, due to contractual requirements, there's not a real lot of things we can do about it," Capt. William Fradrowski told The Milwaukee Journal.

Sources told LEN that deployment

issues are on the agenda of the current contract negotiations between the union and the city. Calls by LEN to the Milwaukee Police Union for comment were not returned.

The way investigations of police-involved shootings are handled has also come under scrutiny in recent months. Felmers Chaney, the president of the Milwaukee chapter of the NAACP, told LEN he has proposed that a special prosecutor be named to investigate such incidents.

"We don't believe the District Attorney's Office does what is right when it comes to the inquests," said Chaney, a former Milwaukee police lieutenant who retired after 36 years on the force. Findings are disputed because the close working relationship between the DA's office and the Police Department invites suspicion, he added.

Milwaukee County District Attorney E. Michael McCann opposes the appointment of a special prosecutor.

He pointed out that inquest panels are chosen from existing jury rolls, their proceedings are open to the public, and families of victims are free to submit questions to the panel. "The entire community, as well as the citizen body of jurors, can hear the case," he said.

McCann conceded that the inquest juries "are not perfect" but the use of special prosecutors poses even more fairness issues.

"An independent prosecutor is responsible to no one. He doesn't even have to order an inquest. He can review the [case] file and say, 'That's it,' and no one can challenge that under the statute," he told LEN. "This way, whether one agrees or disagrees with the verdict, it's out in open court, testimony is taken from cops and the witnesses, and it's heard before God and man on television. The recommendation not to charge is by the jury; I don't make that decision. I don't know of a better way to do it."

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LEN-11594

Forum:

Keep radar debate in focus

Continued from Page 8

truncated quote of my statement read: "[A] study of cancer deaths among 2,763 police officers indicated that there may be a possible link between exposure to EMF and cancer. . . ."

In its full context, my statement actually read:

"Recently, a study of cancer deaths among 2,763 police officers indicated that there may be a possible link between exposure to EMF and cancer. The resulting analysis indicated that the risk of brain cancer increased fourfold in officers with 20-29 years of police service over individuals in other occupations. Other officers experienced a fourfold risk of lymphatic and hemopoietic (blood-related) cancers."

Hopefully, this will answer the question posed by Hannigan and Crescenti concerning my results of this study. These were not the only results, but they were relevant in terms of the possible influence of EMF as a causal agent. Brain cancer is very rare and

previous research has linked it with EMF. Lymphatic and blood cancers have also been associated with EMF exposure. The occurrence of such cancers in police officers makes EMF suspect.

Reluctant Response

I thought long and hard before deciding to respond to Hannigan and Crescenti's writing. My reluctance was based on a desire to see this issue resolved not by "radar wars" articles in police magazines, but by a multidisciplinary effort of many competent scientists. Radar and cancer is a sensitive emotional issue, as well as a practical one. For those officers who have cancer, the issue raises many questions about occupational exposure to heretofore unknown sources. If not radar, what else might officers be exposed to in their work? We are just beginning to realize that police work is indeed a hazardous occupation, not just because of the danger of crime, but also the

environmental exposure with which officers must contend on a daily basis.

On the practical side, the use of radar for speed enforcement has been very effective and has saved many lives through the years. I do not urge or condone the abolition of radar in police work. However, if a worker is given tools, management has the responsibility to ensure that those tools are as safe as possible. To do otherwise is a breach of the social organizational contract between employer and employee.

We should leave radar wars to the experts — the biologists, physicists, epidemiologists, engineers and others who specialize in this area. My own 23 years as a police officer taught me that bantering back and forth on an issue as emotionally laden as cancer will not result in any meaningful solutions. I sincerely hope that we soon find that radar and cancer are for certain not related in any way. That would be one less worry for the brave officers who police this society.

Upcoming Events

FEBRUARY

- 15-16. **Asset Forfeiture Tactics.** Presented by the Investigation Training Institute Fort Lauderdale, Fla. \$395
- 15-17. **Symposium on Alcohol & Drug Enforcement.** Presented by the Institute of Police Technology & Management Jacksonville, Fla. \$325
- 16-18. **Street Survival '94.** Presented by Calibre Press, Kalamazoo, Mich. \$150/\$135/\$85
- 21-22. **Special Event Planning.** Presented by the Northwestern University Traffic Institute Evanston, Ill. \$300.
- 21-23. **Tactical Groundfighting.** Presented by Modern Warrior Inc. Lindenhurst, NY \$250
- 21-25. **Jail Operations.** Presented by Barton County Community College, Pratt, Kan. \$225
- 21-25. **Homicide Investigation.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$450.
- 21-25. **Criminal Patrol Drug Enforcement.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$450.
- 21-25. **Wire, Oral & Electronic Intercepts (Wiretaps).** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$495.
- 21-March 4. **Advanced Accident Investigation.** Presented by TEEX — Law Enforcement & Security Training Division Denton, Texas. \$450.
23. **Burglary Techniques & Prevention.** Presented by the Institute of Criminal Justice Studies, Belton, Texas. \$20.
- 23-24. **First-Line Police Supervision.** Presented by the University of Delaware, Oakhurst, N.J.
- 23-25. **The Detective Manager.** Presented by Rollins College Orlando, Fla. \$295
- 23-25. **Disaster Planning.** Presented by the Northwestern University Traffic Institute, Evanston, Ill. \$400.
- 24-25. **Tactical Straight Baton.** Presented by Modern Warrior Inc. Lindenhurst, NY \$250.
- 24-25. **Managing Your Detective Unit.** Presented by the University of Delaware, Miami Beach, Fla.
- 24-25. **Police Use of Deadly Force.** Presented by the University of Delaware, Richmond, Va.
- 24-25. **Access Control Systems.** Presented

- by the University of Delaware, Wilmington, Del.
- 24-25. **Interviewing the Sexually Abused/Assaulted Child.** Presented by the University of Delaware, Pensacola, Fla.
- 28-March 4. **Advanced Management Practices.** Presented by the New England Institute of Law Enforcement Management Wellesley, Mass.
- 28-March 4. **Comprehensive Police Fleet Management.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$450.
- 28-March 4. **Field Training Officers Program.** Presented by the Northwestern University Traffic Institute, Evanston, Ill. \$500.
- 28-March 11. **Accident Investigation I.** Presented by the Northwestern University Traffic Institute, Evanston, Ill. \$700
- 28-March 11. **At-Scene Traffic Accident/Traffic Homicide Investigation.** Presented by the Institute of Police Technology & Management, Coral Gables, Fla. \$595.

MARCH

1. **Sexual Harassment.** Presented by the Institute of Criminal Justice Studies, San Marcos, Texas. \$50
1. **Second Annual Forensic Pathology Death Investigation Conference.** Presented by TEEX — Law Enforcement & Security Training Division, Dallas. \$640.
- 1-2. **Supervisory Principles in Communication Centers.** Presented by the University of Delaware, Wilmington, Del.
- 1-2. **Criminal Psychological Profiling.** Presented by the University of Delaware, Cherry Hill, N.J.
- 1-2. **Police Use of Deadly Force.** Presented by the University of Delaware, Worcester, Mass.
- 2-3. **Training the Trainer.** Presented by Barton County Community College, Great Bend, Kan. \$125.
- 2-4. **Arson Detection & Investigation.** Presented by Rollins College, Orlando, Fla. \$195.
- 3-4. **Computer Crime.** Presented by Diversified Computer Services, Athens, Ga. \$185
- 4-5. **Police Officer Survival Tactics & Drugs.** Presented by the Northwestern University Traffic Institute, Marietta, Ga. \$135.
5. **Successful Promotion.** Presented by Davis & Associates, San Jose, Calif. \$125.
- 7-8. **Community Policing.** Presented by the

- University of Delaware, Braintree, Mass.
- 7-8. **Interviewing the Sexually Abused Child.** Presented by the University of Delaware, Owings Mills, Md.
- 7-9. **Administration, Management & Supervision of the Field Training Officer Program.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$375
- 7-9. **Managing the Training Operation.** Presented by the University of Delaware, Wilmington, Del.
- 7-11. **Prevention & Investigation of Cults.** Presented by the National Crime Prevention Institute, Louisville, Ky.
- 7-11. **Pedestrian/Bicyclist Accident Investigation.** Presented by TEEX — Law Enforcement & Security Training Division, Louisville, Ky. \$350.
- 7-11. **Advanced Instructor: Curriculum Design & Implementation.** Presented by TEEX — Law Enforcement & Security Training Division, Bryan, Texas. \$325.
- 7-11. **Police Internal Affairs.** Presented by the Institute of Police Technology & Management, St. Petersburg, Fla. \$450
- 7-11. **Developing & Maintaining a DWI Program.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$450
- 7-11. **Managing Criminal Investigators & Investigations.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$495.
- 7-11. **Homicide Investigation.** Presented by the Institute of Police Technology & Management, Phoenix. \$450
- 7-11. **Police Motorcycle Rider Course.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$650.
- 7-18. **Police Motorcycle Instructor Course.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$1,100
- 9-11. **Rape Investigation.** Presented by Rollins College, Orlando, Fla. \$265
- 10-11. **Ceremonial Honor Guard Conference/Workshop.** Presented by the Baltimore County (Md.) Police Department, Hunt Valley, Md.
- 14-15. **Internal Affairs Investigation.** Presented by the University of Delaware, Cherry Hill, N.J.
- 14-16. **Intoxilyzer 5000 Maintenance Training.** Presented by the Institute of Police Technology & Management, Jackson-

- ville, Fla. \$325
- 14-16. **Arson Investigation.** Presented by the Northwestern University Traffic Institute, Evanston, Ill. \$400.
- 14-16. **Computerized Traffic Accident Reconstruction I — Introduction to EDCRASH.** Presented by the Northwestern University Traffic Institute, Evanston, Ill. \$350.
- 14-18. **SWAT Team Operations.** Presented by Rollins College, Orlando, Fla. \$425
- 14-18. **Forensic Animation of Traffic Crashes.** Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$795
- 14-25. **Accident Investigation II.** Presented by the Northwestern University Traffic Institute, Evanston, Ill. \$700.
15. **Oleoresin Capsicum Aerosol Control System.** Presented by the National Law Enforcement Training Center, Kansas City, Mo. \$150.
15. **Knife Defense & Disarming System.** Presented by the National Law Enforcement Training Center, Kansas City, Mo. \$150
15. **CAS Expandable Police Baton.** Presented by the National Law Enforcement Training Center, Kansas City, Mo. \$195

- 15-16. **Drug Interdiction.** Presented by Law Enforcement Training Systems, West Springfield, Mass. \$325
- 15-16. **Conducting a Background Investigation.** Presented by the University of Delaware, Wilmington, Del.
- 16-17. **Handgun/Long Gun Retention & Disarming System.** Presented by the National Law Enforcement Training Center, Kansas City, Mo. \$275
- 16-18. **Investigation of Abused, Battered & Neglected Children.** Presented by Rollins College, Orlando, Fla. \$265
- 16-19. **Seventh National Youth Crime Prevention Conference.** Presented by the National Crime Prevention Council, Miami, Fla. \$130.
- 17-18. **Street Gangs: The New Organized Crime.** Presented by Law Enforcement Training Systems, West Springfield, Mass. \$325
- 17-18. **Computerized Traffic Accident Reconstruction II — Introduction to EDCRASH.** Presented by the Northwestern University Traffic Institute, Evanston, Ill. \$250
- 17-18. **Managing the Patrol Function.** Presented by the University of Delaware, Pensacola, Fla.

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Presenters must pay registration fees and all other conference expenses. The non-refundable registration fee of \$150.00 is payable at time of registration. The fee includes admission to all sessions, receptions and all site visits. On-site registration is \$200.00.

For further information:

(Addresses & phone/fax numbers for organizations listed in calendar of events.)

- Baltimore County Police Department, Attn: Lieut. Paul Krawczyk, P.O. Box 42423, Baltimore, MD 21236. (410) 887-1340. Fax: (410) 887-6857
- Barton County Community College, Attn: James J. Ness, Director, Administration of Justice Programs, R.R. 3, Box 136Z, Great Bend, KS 67530-9283. (316) 792-1243 Fax: (316) 792-8035.
- Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037.
- Davis & Associates, P.O. Box 6725, Laguna Niguel, CA 92607 (714) 495-8334
- Diversified Computer Services, 1608 Town Cove, Woodstock, GA 30188 (404) 516-7496.
- Executive Protection Institute, Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611 (703) 955-1128
- Institute of Criminal Justice Studies, Southwest Texas State University, West Campus, Canyon Hall, San Marcos, TX 78666-4610, (512) 245-3030 Fax (512) 245-2834
- Institute of Police Technology & Management, University of North Florida,

- 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722
- Investigation Training Institute, P.O. Box 669, Shelburne, VT 05482. (802) 985-9123.
- Law Enforcement Training Systems, P.O. Box 822, Granby, CT 06035 Phone/Fax (203) 653-0788.
- Modern Warrior Inc., 711 N. Wellwood Ave., Lindenhurst, NY 11757. (516) 226-8383
- National Crime Prevention Council, 1700 K St., N.W., 2nd Floor, Washington, DC 20006-3817 (202) 466-6272. Fax: (202) 296-1356
- National Crime Prevention Institute, Bngman Hall, University of Louisville, Louisville, KY 40292. (502) 588-6987
- National Intelligence Academy, 1300 N.W. 62nd St., Fort Lauderdale, FL 33309 (305) 776-5500 Fax (305) 776-5005
- New England Institute of Law Enforcement Management, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 237-4724
- Northwestern University Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL

- 60204 (800) 323-4011
- Pro-Systems, P.O. Box 261, Glenview, IL 60025. (708) 729-7681.
- Quantico Group Associates Inc., 3904 Lansing Court, Dumfries, VA 22026-2460 (703) 221-0189 Fax (703) 221-3836.
- Rollins College, Public Safety Institute, 1000 Holt Ave., #2728, Winter Park, FL 32789-4499 (407) 647-6080. Fax: (407) 647-3828
- Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (214) 690-2394 Fax: (214) 690-2458
- TEEX — Law Enforcement & Security Training Division, Texas A&M University System, College Station, TX 77843-8000. (800) 423-8433 or (409) 845-6391 Fax (409) 862-2788
- Tucson Lodge No. 1, c/o Arizona Travel Center, 2502 E. Grant Rd., Tucson, AZ 85716 (800) 553-5471 Fax (602) 325-0560
- University of Delaware, Division of Continuing Education, Attn: Jacob Haber, 2800 Pennsylvania Ave., Wilmington, DE 19806 (302) 573-4487

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Uniform Crime Reports.

Keeping the radar issue in focus:

Let's put aside emotions and stick to the facts
in the radar/cancer debate. **Forum, Page 8.**

Plus:

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